

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: ) BANKRUPTCY CASE  
 )  
TANESHA MONE WALKER, ) NO.: 20-63718-SMS  
 )  
Debtor. ) CHAPTER 13  
 )  
 )  
 )

OBJECTION TO CONFIRMATION

COMES NOW HomeBridge Financial Services, Inc. (hereinafter known as "Creditor"), a secured creditor holding a Security Deed against the real property commonly known as 3008 Pale Moon Place, McDonough, GA 30253 (the "Property"), and for the reasons stated below, objects to confirmation of Debtor's Chapter 13 plan (Doc. No. 26) (the "Plan").

1.

Debtor's Plan attempts to bifurcate Creditor's lien on the Property. Creditor denies that the correct value of the Property is \$228,193.00. Creditor asserts that the correct value of the Property is greater than the amount listed in the Plan. Creditor requests additional time to conduct an appraisal of the Property. Creditor asserts that the Plan is in violation of 11 U.S.C. Sections 506(a) and includes a provision that is improper as it violates the provisions of 11 U.S.C. §1322(b)(2) because creditor's loan is secured solely by real property that is the Debtor's Principal residence.

2.

Debtor's Plan fails to list the correct ongoing monthly mortgage payment amount. The Plan states that the payment is \$509.31; however, the correct payment amount is \$1,482.26.

3.

Creditor reserves the right to raise the failure of Debtor to have made post-petition mortgage payments under 11 U.S.C. Sections 1325(a)(2) and 1325(a)(6), if at confirmation that appears to be the case.

4.

Creditor reserves the right to raise the failure of Debtor to have made post-petition mortgage payments if at the time of the confirmation hearing that appears to be the case.

WHEREFORE, Creditor prays that the Court will:

1. deny confirmation,
2. award reasonable attorney's fees, and
3. grant such other and further relief as is just and equitable.

*/s/John D. Schlotter*

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John D. Schlotter

Georgia BAR NO. 629456

Attorney for Creditor

McCalla Raymer Leibert Pierce, LLC

1544 Old Alabama Road

Roswell, GA 30076

678-281-6453

678-281-6453

In Re:  
Tanesha Mone Walker

Bankruptcy Case No.: 20-63718-SMS13

Chapter: 13

Judge Sage M. Sigler

CERTIFICATE OF SERVICE

I, John D. Schlotter, of MCCALLA RAYMER PIERCE, LLC, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I served a copy of the within OBJECTION TO CONFIRMATION filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Tanesha Mone Walker  
3008 Pale Moon Place  
McDonough, GA 30253

Mary Ida Townson, Trustee  
285 Peachtree Center Avenue, NE  
Suite 1600  
Atlanta, GA 30303

*(served via ECF Notification)*

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 6/12/2020  
(date)

By: /s/John D. Schlotter  
John D. Schlotter  
Georgia BAR NO. 629456  
Attorney for Creditor